

BARRY J. PORTMAN  
Federal Public Defender  
JOHN PAUL REICHMUTH  
Assistant Federal Public Defender  
555 - 12th Street  
Suite 650  
Oakland, CA 94607-3627  
Telephone: (510) 637-3500  
Counsel for Defendant JOHNSON

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR-07-00488 CW
	)	
Plaintiff,	)	<b>STIPULATION AND [PROPOSED]</b>
	)	<b>ORDER CONTINUING STATUS</b>
vs.	)	<b>HEARING</b>
	)	
ANDRE MATTHEWS, et al.	)	Hearing Date: November 8, 2007
	)	Requested Date: January 8, 2008
Defendant.	)	
	)	

It is hereby stipulated that the STATUS hearing date of November 28, 2007 be continued to January 8, 2008 at 2:00 p.m. In addition, the parties stipulate and agree that time should be excluded between November 28, 2007 until January 8, 2008 due to the ongoing investigation by defense counsel. Two new defense counsel have very recently joined this case. It appears that all defendants are now present, but the new counsel have had very little time to review the discovery. Approximately 4000 pages of discovery have been produced to defense counsel in electronic form. This electronic discovery has been converted to OCR searchable form by defense counsel and distributed to all defense counsel. Seven CD-ROM's of discovery recently received have not been reviewed. Calculation of loss value exposure will be a complicated

1 process in this case and is ongoing. The parties understand the court's preference for setting of  
 2 motions by stipulation; however, the parties are not in a position to assess the time needed for  
 3 discovery review or motions preparation. If possible, the parties will propose a motions schedule  
 4 by stipulation prior to the requested next appearance.

5 The parties agree that the ends of justice served by the continuance requested herein  
 6 outweigh the best interest of the public and the defendant in a speedy trial because the failure to  
 7 grant the continuance would deny the counsel for the defendant the reasonable time necessary for  
 8 effective preparation, taking into account the exercise of due diligence. Time should therefore be  
 9 excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

10  
 11 11-26-07

12 Date

/s/

John Paul Reichmuth  
 Assistant Federal Public Defenders  
 Counsel for defendant Johnson

13  
 14 11-26-07

15 Date

/s/

Richard Tamor  
 Counsel for defendant Bacon

16  
 17 11-26-07

18 Date

/s/

Garrick Lew  
 Counsel for defendant Alexander

19 11-26-07

20 Date

/s/

Gail Shifman  
 Counsel for defendant Kautzman

21  
 22 11-26-07

23 Date

/s/

John Hemann  
 Counsel for defendant Matthews

24 11-26-07

25 Date

/s/

Laura Robinson  
 Counsel for defendant Enriquez

1 11-26-07

2 Date

/s/

Mark Goldrosen

Counsel for defendant Reyes

3 11-26-07

4 Date

/s/

Seth Chazin

Counsel for defendant Williams

5 11-26-07

6 Date

/s/

Ismail Ramsey

Counsel for defendant Arnold

7 11-26-07

8 Date

/s/

Diana Weiss

Counsel for defendant Green

9 11-26-07

10 Date

/s/

H.H. "Shashi" Kewalramani

Assistant United States Attorney

11 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)

12 within this efiled document.

/S/ John Paul Reichmuth

Counsel for Defendant Alicia Johnson

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17 **ORDER**

18 Based on the reasons provided in the stipulation of the parties above, the Court hereby

19 finds that the ends of justice served by the continuance requested herein outweigh the best

20 interest of the public and the defendant in a speedy trial because the failure to grant the

21 continuance would deny the counsel for the defendant the reasonable time necessary for effective

22 preparation, taking into account the exercise of due diligence. The Court makes this finding

23 because the parties continue to investigate the new discovery, which is voluminous.

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1 Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of  
2 November 28, 2007 at 2:00 p.m. be continued to January 8, 2008 and that time be excluded from  
3 November 28, 2007 to January 8, 2008 pursuant to 18 U.S.C. §§3161 (h)(8)(A) and (B)(iv).

4 IT IS SO ORDERED.

5  
6  
7 \_\_\_\_\_  
8 Date

\_\_\_\_\_   
Hon. Claudia Wilken  
United States District Judge